

SENATE BILL No. 103

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-10-8-7.4; IC 27-8-14.3; IC 27-13-7-14.2.

Synopsis: Mandatory coverage of annual examinations. Requires group insurance for public employees, group insurers, and health maintenance organizations to provide coverage for annual examinations for a woman who is at least 18 years of age.

Effective: July 1, 2003.

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January 7, 2003, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

SENATE BILL No. 103

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-10-8-7.4 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2003]: **Sec. 7.4. (a) As used in this section, "covered individual"**
4 **means a woman who is at least eighteen (18) years of age and:**

5 **(1) covered under a self-insurance program established under**
6 **section 7(b) of this chapter to provide group health coverage;**
7 **or**

8 **(2) entitled to services under a contract with a health**
9 **maintenance organization (as defined in IC 27-13-1-19) that**
10 **is entered into or renewed under section 7(c) of this chapter.**

11 **(b) As used in this section, "annual physical examination"**
12 **means the following examinations:**

13 **(1) Annual pelvic examination, including a pap smear test.**

14 **(2) Annual breast examination.**

15 **(3) Any other examination commonly included in a**
16 **gynecological examination.**

17 **(c) A self-insurance program established under section 7(b) of**



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1 this chapter to provide health care coverage must provide a
 2 covered individual with coverage for an annual physical
 3 examination.

4 (d) A contract with a health maintenance organization that is
 5 entered into or renewed under section 7(c) of this chapter must
 6 provide a covered individual with coverage for an annual physical
 7 examination.

8 (e) The coverage required by subsections (c) and (d) may not be
 9 subject to dollar limits, deductibles, or coinsurance provisions that
 10 are less favorable to a covered individual than the dollar limits,
 11 deductibles, copayments, or coinsurance provisions applying to
 12 physical illness generally under the self-insurance program or
 13 contract with a health maintenance organization.

14 (f) The coverage for the annual physical examination required
 15 by subsection (c) and the annual physical examination services
 16 required by subsection (d) shall be provided in addition to any
 17 benefits specifically provided for x-rays, laboratory testing, or
 18 wellness examinations.

19 SECTION 2. IC 27-8-14.3 IS ADDED TO THE INDIANA CODE
 20 AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE
 21 JULY 1, 2003]:

22 **Chapter 14.3. Coverage for Services Related to Annual**
 23 **Examinations**

24 **Sec. 1. (a) As used in this chapter, "accident and sickness**
 25 **insurance policy" means an insurance policy that:**

- 26 (1) provides at least one (1) of the types of insurance described
 27 in IC 27-1-5-1, Classes 1(b) and 2(a); and
 28 (2) is issued on a group basis.

29 (b) The term does not include accident only, credit, dental,
 30 vision, Medicare supplement, long term care, or disability income
 31 insurance.

32 **Sec. 2. As used in this chapter, "annual examination" means the**
 33 **following examinations:**

- 34 (1) Annual pelvic examination, including a pap smear test.
 35 (2) Annual breast examination.
 36 (3) Any other examination commonly included in a
 37 gynecological examination.

38 **Sec. 3. As used in this chapter, "insured" means a female**
 39 **individual who is at least eighteen (18) years of age and who is**
 40 **entitled to coverage under a policy of accident and sickness**
 41 **insurance.**

42 **Sec. 4. (a) An insurer shall provide coverage for annual**

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1 examinations in any accident and sickness insurance policy that the
2 insurer issues in Indiana.

3 (b) An insured may not be required to pay an annual deductible
4 or coinsurance that is greater than an annual deductible or
5 coinsurance established for similar benefits under the accident and
6 sickness insurance policy. If the policy does not cover a similar
7 benefit, the deductible or coinsurance may not be set at a level that
8 materially diminishes the value of the annual examination benefit
9 required by this chapter.

10 (c) The coverage that an insurer must provide under this
11 chapter may not be subject to dollar limits, deductibles, or
12 coinsurance provisions that are less favorable to the insured than
13 the dollar limits, deductibles, or coinsurance provisions applying
14 to physical illness generally under the accident and sickness
15 insurance policy.

16 (d) The coverage that an insurer must provide is in addition to
17 any benefits specifically provided for x-rays, laboratory testing, or
18 wellness examinations.

19 SECTION 3. IC 27-13-7-14.2 IS ADDED TO THE INDIANA
20 CODE AS A NEW SECTION TO READ AS FOLLOWS
21 [EFFECTIVE JULY 1, 2003]: Sec. 14.2. (a) As used in this section,
22 "annual examination" means the following examinations:

- 23 (1) Annual pelvic examination, including a pap smear test.
- 24 (2) Annual breast examination.
- 25 (3) Any other examination commonly included in a
26 gynecological examination.

27 (b) A health maintenance organization issued a certificate of
28 authority in Indiana shall provide to a woman enrollee who is at
29 least eighteen (18) years of age an annual examination as a covered
30 service under every group contract that provides coverage for
31 basic health care services.

32 (c) The coverage that a health maintenance organization must
33 provide under this section may not be subject to a contract
34 provision that is less favorable to an enrollee than a contract
35 provision applying to physical illness generally under the health
36 maintenance organization contract.

37 (d) The coverage that a health maintenance organization must
38 provide under this section is in addition to services specifically
39 provided for x-rays, laboratory testing, or wellness examinations.

40 SECTION 4. [EFFECTIVE JULY 1, 2003] (a) IC 5-10-8-7.4, as
41 added by this act, applies to a self-insurance program or a contract
42 between the state and a health maintenance organization



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1 established, entered into, or renewed after June 30, 2003.

2 (b) IC 27-8-14.3, as added by this act, applies to accident and
3 sickness insurance policies that are issued, delivered, or renewed
4 after June 30, 2003.

5 (c) IC 27-13-7-14.2, as added by this act, applies to a health
6 maintenance organization contract that is issued, delivered, or
7 renewed after June 30, 2003.

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